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Attorneys for Defendants:  
90 CHURCH STREET LIMITED PARTNERSHIP  
and BOSTON PROPERTIES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

DAVID VIVAR (AND WIFE, LUZ VIVAR) Index No.: 07-CV-05390

Plaintiff(s),

**NOTICE OF ADOPTION OF ANSWER  
TO MASTER COMPLAINT**

-against-

**ELECTRONICALLY FILED**

63 WALL STREET INC, *et al.*,

Defendant(s).

-----X

PLEASE TAKE NOTICE that Defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 2, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., demand judgment dismissing the above-captioned action as against them,

together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
June 19, 2008

Yours etc.,

McGIVNEY & KLUGER, P.C.  
Attorneys for Defendants  
90 CHURCH STREET LIMITED PARTNERSHIP  
and BOSTON PROPERTIES, INC.

By:

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TO: WORBY GRONER & NAPOLI BERN, LLP  
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